

REMARKS

Applicants first wish to thank the Examiner for the courteous telephone interview conducted with Applicants' representative, Ms. Leber, on September 15, 2008. During the interview, claim 21 was discussed and Ms. Leber suggested a possible amendment to this claim, involving the dye being pre-applied to the indicator strip. The Examiner indicated that such an amendment might overcome the pending rejections, and that the amendment should be filed with an RCE.

Claims 21-23, 25-29 and 41-43 have been rejected under 35 U.S.C. 103(a) as being obvious over Dickmann (US 6,916,116) in view of Breuer (U.S. 4,802,255). Claims 30-35, 37-40, and 44-45 have been rejected under 35 U.S.C. 102(b) as being anticipated by Dickmann. Claim 24 has been rejected as obvious over Dickmann and Breuer further combined with Ko, and claim 36 has been rejected as obvious over Dickmann in view of Ko.

Applicants respectfully submit that Dickmann does not teach or suggest an indicator strip that has a dye pre-applied thereto. As discussed in Applicants' previous response, in Dickmann the dye is applied to the strip with the liquid, not pre-applied prior to introduction of the liquid to the strip.

Nor do the secondary references supply such a teaching or suggestion.

Accordingly, Applicants respectfully submit that the amended claims are in condition for immediate allowance.

Please apply any charges or credits, to deposit account 06-1050, referencing Attorney Docket No. 02894-0742US1.

Applicant : Pedro Stange et al  
Serial No. : 10/565,249  
Filed : June 27, 2006  
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Respectfully submitted,

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